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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,875	01/29/2004	Mourad Boulouednine	03P01354	2279
24252	7590	05/23/2005	EXAMINER	
OSRAM SYLVANIA INC 100 ENDICOTT STREET DANVERS, MA 01923			VO, TUYET THI	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/765,875

Applicant(s)

BOULOUEDNINE ET AL.

Examiner

Tuyet Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-17 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claim 12 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 12, lines 8-10, recitation of “the brightness of all of the groups of light source is altered to the same degree” raises confusion due to not fully describe in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ham (US Pat. 6,400,104).

Regarding claim 1, Ham discloses a fluorescent lamp assembly with nightlight (Fig. 2), comprising:

connection apparatus (200);

a first (208) and a second (218) light sources;

a first (216) and a second (226) power supply, the first power supply (200, 222, 224) making it possible to set the power output to the first light source (208) and the second power supply (226) making it possible to set the power output to the second light source (218); and

a first (A, marked by examiner) and a second (B, marked by examiner) setting apparatus, it being possible to use the first setting apparatus (A) to set the power output of the first (216) and, at the same time, the second (226) power supply, whereas the second setting apparatus (B) set only the power output of the second power supply (226).

Regarding claims 4-6 Ham further discloses the first and the second of light sources connected to the connection apparatus at a common reference potential (202), whereas, the first light is a fluorescent lamp and the second light is a light emitting diode.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 4-6 are rejected under 35 U.S.C. 103(b) as being unpatentable by Ham (US Pat. 6,400,104) in view of Stam et al. (US Pub. 2002/0047624), hereinafter Stam.

Regarding claim 1, Ham discloses a fluorescent lamp assembly with nightlight (Fig. 2), comprising:

connection apparatus (200);

a first (208) and a second (218) light sources;

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a first (216) and a second (226) power supply, the first power supply (200, 222, 224) making it possible to set the power output to the first light source (208) and the second power supply (226) making it possible to set the power output to the second light source (218); and

a first (A, marked by examiner) and a second (B, marked by examiner) setting apparatus, it being possible to use the first setting apparatus (A) to set the power output of the first (216) and, at the same time, the second (226) power supply, whereas the second setting apparatus (B) set only the power output of the second power supply (226).

However, Ham does not disclose a first or second light sources, wherein each light sources including a groups of LEDs.

It would have been an obvious matter of design choice for adding more same type of light sources, such as LEDs, for each group of light in order to expand to larger area cover with illumination of the plurality of the light. Such improvement is considered as a routine skill in the art.

Regarding claims 4-6 Ham further discloses the first and the second of light sources connected to the connection apparatus at a common reference potential (202), whereas, the first light is a fluorescent lamp and the second light is a light emitting diode.

6. Claims 1, 2, 5-11 and 13-17 are rejected under 35 U.S.C. 103(b) as being unpatentable by Ham in view of Stam et al. (US Pub. 2002/0047624), hereinafter Stam.

Regarding claim 1, Ham discloses a fluorescent lamp assembly with nightlight (Fig. 2), comprising:

connection apparatus (200);

a first (208) and a second (218) light sources;

a first (216) and a second (226) power supply, the first power supply (200, 222, 224) making it possible to set the power output to the first light source (208) and the second power supply (226) making it possible to set the power output to the second light source (218); and

a first (A, marked by examiner) and a second (B, marked by examiner) setting apparatus, it being possible to use the first setting apparatus (A) to set the power output of the first (216) and, at the same time, the second (226) power supply, whereas the second setting apparatus (B) set only the power output of the second power supply (226).

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However, Ham does not disclose a first or second light sources, wherein each light sources including a groups of LEDs.

Stam discloses an apparatus (Fig. 4) for driving a plurality of LED groups (101, 102, 103) in parallel, wherein each group of light sources containing a number of LEDs connected in series.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a bunch of LEDs for each group of light sources as taught by Stam into the Ham lighting system in order to increase brightness of the lamps in desired levels or expand to a larger area cover with illumination of the plurality of the light as needed.

Regarding claims 2, 5-9, 11 and 13-16, Ham in view of Stam discloses substantially the claim invention and Stam further teaches each LED set of LED groups being driven by pulse width modulation (PWM) (Fig. 6, step 607), wherein red LED set having wavelength in the region of 617 nm, green LED set having wavelength in the region of 525 nm, blue LED set having wavelength in the region of 617 nm ([0048]), the possibility of white light being suggested/mentioned as another alternating color ([0025]).

Regarding claims 10 and 17, Ham in view of Stam discloses substantially the claim invention even though none of them suggests percentage for each of red, green and blue color component based on total luminous of illumination device as claim invention, but the concept can be implemented through adjusting wavelength of each LED by skill in the art for aesthetic purpose. Such implementation is considered as a routine skill in the art.

7. Claim 12 is rejected under 35 U.S.C. 103(b) as being unpatentable by Stam.

Stam discloses method for setting the bright ness and color of LEDs through a control circuit that varies duty cycle to achieve a proportional increase or decrease in the LED output in a desired manner for desired resultant hue, therefore, the setting the color of the illumination device can be all or only the brightness of the one or more groups of light sources is altered. Such implementation is up to designer for a particular desired color and brightness of LEDs, and accordingly it is considered as a routine skill in the art.

Allowable Subject Matter

8. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: the prior fails to establish a first setting apparatus contains a first and a second potentiometer, which are coupled to one another, being possible to use a first potentiometer to set the power output of a first power supply, and to use a second potentiometer to set the power output of a second power supply, whereas a second setting apparatus contains one potentiometer which is connected to the second potentiometer of in parallel with the first setting apparatus.

Citation of pertinent prior art

10. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Mollet et al. (US Pat. 6,392,553) discloses signal interface module.

Adamson (US Pub. 2002/0171379) discloses networkable power controller.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyet Vo whose telephone number is 571 272 1830. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9306 for regular communications and for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

A handwritten signature in black ink, appearing to read 'Tuyet Vo', written over a horizontal line.

Tuyet Vo

Primary Examiner

May 16, 2005

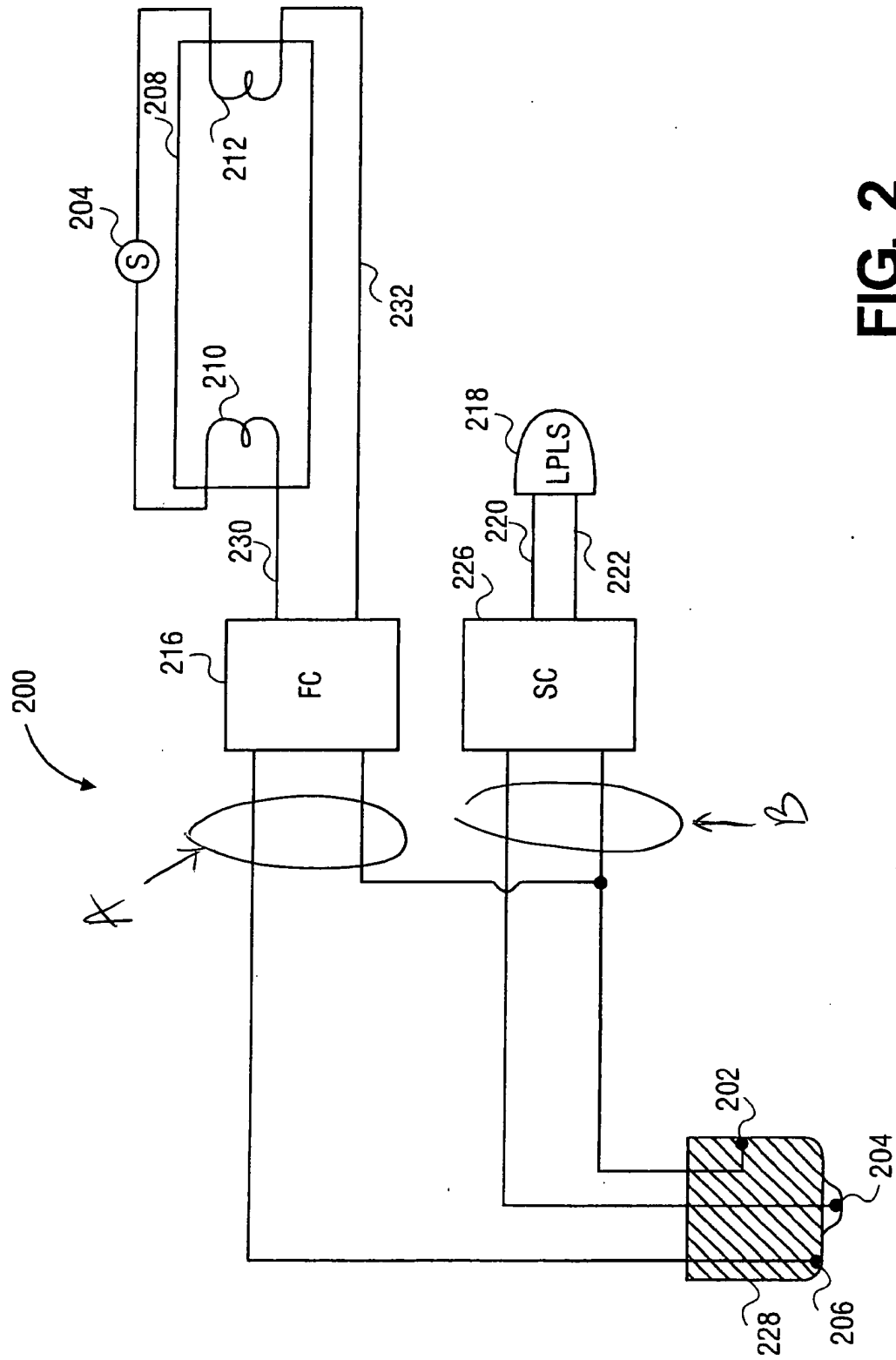


FIG. 2